

**REMARKS**

The above-referenced application has been reviewed in light of the Office Action mailed July 25, 2005. By the present amendment, the Applicant has canceled claims 24-30 without prejudice. It is respectfully submitted that the claims remaining in the application are fully supported by the specification, introduce no new subject matter, and are patentable over the prior art. Prompt and favorable consideration of the claims as amended is respectfully requested.

In the Office Action, the drawings were objected to under 37 C.F.R. § 1.83 (a). According to the Office Action, features recited in claims 1, 4, and 5 were not shown in the drawing figures. In addition, the Office Action rejected claims 1, 4, and 5 under 35 U.S.C. § 112 wherein it was asserted that the claimed subject matter was not adequately described in the specification.

The Office Action asserted that the recitation of "the planar member configured and adapted to support the patient" in claim 1 was not supported in the drawings or in the specification. In FIG. 1, the planar member is identified as reference numeral 140 and is discussed on page 11. Support for the recitation of "the planar member configured and adapted to support the patient" is found on page 11 of the specification, where it states that "the planar member 140 supports and positions the patient in a first modality field of view 102 for the diagnostic procedure as shown in FIG. 1." It is respectfully submitted that the features recited in claim 1 are fully supported by the specification and drawings as filed.

In addition, the Office Action asserted that the recitation of "a motor assembly operably coupled to each of the connecting arms" in claim 4 was not supported in the drawings or in the specification. In FIG. 1, the motor assembly is identified as reference numeral 122 and each connecting arm is identified as reference numeral 143. Support for the recitation of "a motor assembly operably coupled to each of the connecting arms" can be found on page 9 of the specification, where it states that "the motor assembly 122 is further coupled to each of the connecting arms 132." It is respectfully submitted that the features recited in claim 4 are fully supported by the specification and drawings as filed.

The Office Action also asserted that the recitation of "the pedestal is further configured for independent rotational motion" in claim 5 was not supported in the drawings or in the specification. In FIG. 1, the pedestal and the motor assembly are identified as reference numerals 120 and 122, respectively. Support for the recitation of "the pedestal is further configured for independent rotational motion" found on page 7 of the specification, where it states that

the pedestal 120 is configured and adapted for independent rotatable movement about a vertical axis-Y relative to the base 110. When configured and adapted for independent rotatable motion, the pedestal 120 may be attached to the base 110 by structure including a track (not shown) located on the top surface 112 of the base 110 and a corresponding set of wheels (not shown) disposed on the pedestal 120 as is known in the art.

It is respectfully submitted that the features recited in claim 5 are fully supported by the specification and drawings as filed.

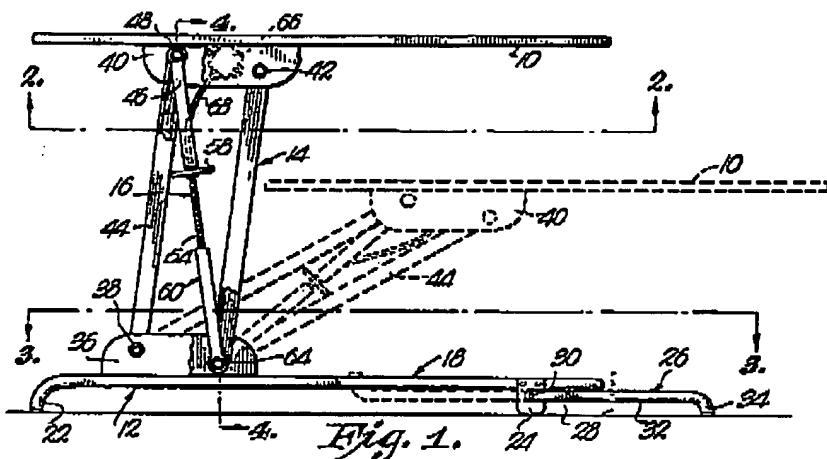
As discussed hereinabove, the drawings and specification fully support the features recited in claims 1, 4, and 5. Therefore, the Applicant respectfully requests that the objection to the drawings and the rejection of claims 1, 4, and 5 under 35 U.S.C. § 112 be withdrawn.

In the Office Action, claims 1-4 and 8 were rejected under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 3,288,090 to King (the '090 patent). According to the Office Action, the '090 patent discloses an apparatus including a planar member that can inherently support a patient, a support assembly having a pedestal disposed on a base, a plurality of connecting arms connected to the planar member and the pedestal, and a motor assembly for positioning the planar member.

Presently claim 1 recites a device including, *inter alia*, an elongated planar member that is configured to support the patient, a support assembly having a base that defines a base plane, and a plurality of connecting arms, wherein "each connecting arm travels through an axis that is orthogonal to the base when the planar member moves from the first position to the second position."

The '090 patent is a non-analogous reference that relates to an ironing board assembly having an ironing board 10, a base frame 12, a parallel linkage 14, and a motor assembly 66. An ironing board is constructed to support articles of clothing during the ironing process and is not designed, intended, or constructed to support the body of a patient during a medical diagnostic procedure. A person skilled in the art of support apparatus for medical diagnostic procedures would not consider an ironing board as relevant art when designing a patient support apparatus. Therefore, the Applicant respectfully disagrees with the Office Action's assertion that the '090 patent anticipates or fairly suggests the device recited in claim 1.

Further still, the ironing board 10 disclosed in the '090 patent is movable from a collapsed position to a fully extended position. As clearly illustrated in Figure 1 reproduced below, when the ironing board 10 is in the collapsed position, the ironing board 10 is proximal to the base 12 and the parallel linkage 14 defines an acute angle with respect to the base 12. In the fully extended position, the ironing board 10 is spaced apart from the base 12 and the parallel linkage 14 defines an angle that is less than 90° with respect to the base 12 or the ironing board 10 (i.e. not orthogonal).



first position to the second position" as recited in claim 1. Therefore, for the reasons state above, it is respectfully submitted that claim 1 is neither anticipated nor suggested by the '090 patent and the rejection of the Office Action has been overcome. Claims 2-4 depend directly or indirectly from claim 1 and it is respectfully submitted that these claims are also not anticipated or suggested by the '090 patent.

In the Office Action, claims 5, 6, 9-13, 15-20, 22-28, and 30 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over the '090 patent in view of U.S. Patent No. 4,173,372 to Norris (the '372 patent). According to the Office Action, the '090 patent discloses every element, but does not disclose that the pedestal is configured for independent rotation with respect to the base using a motor assembly. The Office Action added the disclosure of the '372 patent and stated that the '372 patent discloses a support assembly for a seat that is rotatable about the vertical axis. In addition, the Office Action asserted that claims 9-13, 15-20, 22, and 23 were an obvious method of using the device of the '090 patent as modified by the '372 patent.

As discussed hereinabove, the '090 patent is a non-analogous reference that does not disclose all the features recited in claim 1 and does not teach or fairly suggest a device wherein "each connecting arm travels through an axis that is orthogonal to the base when the planar member moves from the first position to the second position" as recited in claim 1. Adding the rotatable seat disclosed in the '372 patent to the device disclosed in the '090 patent does not overcome the above-identified deficiency of the '090 patent. Since, claims 5 and 6 depend directly or indirectly from independent claim 1, it is respectfully submitted that claims 5 and 6 are not suggested by the combination of the '090 patent and the '372 patent and the rejection of the Office Action has been overcome.

Claims 9 and 17 each recite a method including providing a support device having a plurality of connecting arms wherein "each connecting arm travels through an axis that is orthogonal to the planar member when the planar member moves from the first position to the second position." As detailed above, the '090 patent does not teach or fairly suggest a device wherein the parallel linkage is movable through an axis that is orthogonal to the base or to the ironing board. Adding the rotatable pedestal of the '372 patent to the ironing board of the '090 patent does not overcome this deficiency. The combination of the '090 patent and the '372 patent as suggested in Office Action does not teach or fairly suggest a method including, *inter alia*, the step of providing a device having a plurality of connecting arms, wherein "each connecting arm travels through an axis that is orthogonal to the base when the planar member moves from the first position to the second position" as recited in claims 9 and 17. Therefore, for the reasons stated above, it is respectfully submitted that claims 9 and 17 are not suggested by the combination of the '090 patent and the '372 patent and the rejection of the Office Action has been overcome. Claims 10-13, 15 and 16 depend directly or indirectly from independent claim 9, and claims 18-20, 22 and 23 depend directly or indirectly from independent claim 17. Therefore, it is respectfully submitted that these claims are also not suggested by the combination of the '090 patent and the '372 patent. Claims 24-28 and 30 have been canceled and it is respectfully requested that the rejection of these claims be withdrawn.

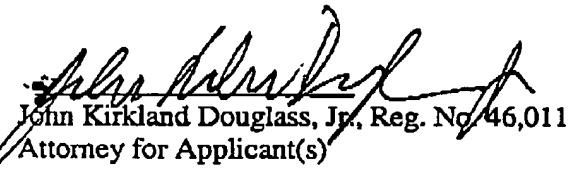
In the Office Action, claim 7 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over the '090 patent in view of U.S. Patent 6,516,478 to Cook (the '478 patent). According to the Office Action, the '090 patent discloses all the features recited in claim 7 with the exception of a remote control coupled to the motor assembly. As discussed above, the '090 patent is a non-analogous reference that does not anticipate or suggest the device recited in claim 1. Adding the remote control device of the '478 patent does not overcome the deficiencies of the '090 patent. Since claim 7 depends indirectly from independent claim 1, it is respectfully submitted that claim 7 is not suggested by the combination of the '090 patent and the '478 patent, and the rejection of the Office Action has been overcome.

In the Office Action, claims 14, 21, and 29 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over the '090 patent in view of the '372 patent and further in view of the '478 patent. Claim 14 depends indirectly from independent claim 9, claim 21 depends indirectly from independent claim 17, and claim 29 has been canceled. As discussed hereinabove, the '090 patent does not anticipate or fairly suggest a method including, *inter alia*, the step of providing a device having a plurality of connecting arms, wherein "each connecting arm travels through an axis that is orthogonal to the base when the planar member moves from the first position to the second position" as recited in claims 9 and 17. Therefore, it is respectfully submitted that claims 14 and 21 are not suggested by the '090 patent in view of the '372 patent and further in view of the '478 patent and the rejection of the Office Action has been overcome.

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In view of the foregoing amendments and remarks, it is respectfully submitted that all claims pending in the application, namely claims 1-23, are in condition for allowance. Should the Examiner desire a telephonic interview to resolve any outstanding matters, she is sincerely invited to contact the undersigned at (631) 501-5713.

Respectfully submitted,



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